

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LEE SPRADLIN,

Defendant.

**8:21CV457**

**ORDER TO SHOW CAUSE**

This matter comes before the court after a review of the docket and pursuant to NECivR [41.2](#), which states in relevant part: “At any time, a case not being prosecuted with reasonable diligence may be dismissed for lack of prosecution.”

The United States commenced this action on December 1, 2021. ([Filing No. 1](#)). On January 10, 2022, the United States filed a signed Waiver of the Service of Summons purporting to show defendant Lee Spradlin waived service of summons and acknowledged an answer or other responsive pleading was due within sixty days of December 1, 2021. ([Filing No. 3](#)). To date, the defendant has not filed any responsive pleading and the United States has taken no further action in this case. The United States, as the plaintiff, has a duty to prosecute the case and may, for example, seek default in accordance with the applicable rules, voluntarily dismiss the case, or take other action as appropriate. Under the circumstances, the United States must make a showing of good cause for failure to prosecute, or the action must be dismissed. Accordingly,

**IT IS ORDERED:** On or before **March 18, 2022**, Plaintiff, the United States of America, must show cause why this case should not be dismissed for failure to prosecute or take some other appropriate action.

Dated this 1<sup>st</sup> day of March, 2022.

BY THE COURT:

s/Michael D. Nelson  
United States Magistrate Judge